

## REMARKS

Claims 48-81 are pending in the present application. Although, no claims have been amended in the present response, applicants have provided a listing of the pending claims for the Examiner's convenience.

### Allowable Claims

The Examiner is thanked for indicating that claims 56-57, 60, 67-68, 70, 77-78, and 81 would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

### Claim Rejections

Claims 48-49, 61, and 71 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Pub. No. 2002/0016831 to Peled et al. (hereinafter "Peled"), in view of U.S. Patent No. 6,792,615 to Rowe et al. (hereinafter "Rowe"). Claims 50-55, 58-59, 62-66, 69, 72-76, and 79-80 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Peled, in view of Rowe, and further in view of U.S. Patent No. 5,892,535 to Allen et al. (hereinafter "Allen").

**Peled, Rowe, and Allen do not, alone or in combination, disclose, teach, or suggest "determining which of the plurality of objects to retransmit to each of the plurality of receivers based upon the received response documents"**

In the Office action, the Examiner states:

Peled does not clearly disclose "determining which objects to retransmit to a zone, the zone including a plurality of receivers; and determining which objects to retransmit to the receiver"; however, this technique is taught by Rowe, in a system for delivering streaming media to a plurality of receivers, as Rowe teaches

the objects or media files are determined by the headend or retransmission stations for retransmit to the users based on their requests and to their locations (refer to col. 5/lines 12-23, col. 5/line 59 to col. 6/line 5 & col. 6/line 49 to col. 7/line 6).

Therefore, it would have been obvious to one of ordinary skill in the art to modify Peled's system with Rowe's teaching technique as disclosed in order to deliver the objects or media files to the user at any given time to their specific locations.

(October 31, 2006 Office action, pg. 3).

The first passage of Rowe cited by the Examiner states:

With newly launched TV networks, however, the utilization of digital, video compression, conditional access as well as transmission techniques is virtually assured. Previous networks have used one or more combinations of existing analog, satellite distribution, or a hybrid digital, analog approach to transmitting real-time programming and program elements to a headend for retransmission and customized programming for local delivery by inserting full screen graphics and/or video. Even with the utilization of these new technologies, significantly more in the way of integration of digital technologies and product features that can be developed.

(Col. 5, Ins. 12-23 of Rowe).

The second passage of Rowe cited by the Examiner states:

According to an exemplary embodiment, the streaming media generation and distribution system includes a broadcast or Network Operations Center, a digital distribution system, and Remote Channel Origination Nodes. The Network Operations Center operates 24 hours a day, 7 days a week and houses the broadcast, production, technical and programming operations of the network. From a wide variety of information sources, the Network Operations Center creates the digital streaming media program content carried by a digital streaming media encapsulated by the IP for distribution to the remote nodes over the satellite network. Preferably, the facility will support the acquisition of programming and information to create the live programming for distribution via encapsulated IP transport techniques.

(Col. 5, ln. 59 to col. 6, ln. 5 of Rowe).

The third passage of Rowe cited by the Examiner states:

According to another aspect of the invention, the digital streaming media and encapsulated IP transport layer carries a plurality of program elements and/or components necessary to create a multi-window video display composed of a plurality of display windows and elements containing different multimedia programming content such as video, audio, graphics, text, etc. Moreover, the programming content carried by the encapsulated IP transport layer can be supplemented with program elements or components from a variety of different sources, including those external to the network infrastructure. Program elements such as live, taped and/or stored video, audio and/or graphics may be introduced into the remote channel origination process by way of physical interfaces to a network RCON in order to provide the final broadcast quality, streaming media product in such a way that the multi-part screen display windows may include different national, local and specialty programming as well as locally inserted content. The programming content is thus preferably tailored to groups, subgroups and individuals receiving the streaming content by way of network RCONs across different geographic areas or markets that forward the finished product to retransmission stations, cable and/or Direct To Home ("DTH") headends, web servers and/or home based processing units for final distribution and/or viewing as further described herein.

(Col. 6, ln. 49 to col. 7, ln. 6 of Rowe).

As seen from above, the cited passages of Rowe only discuss a network operation center distributing program elements to a retransmission station and the retransmission station forwarding those program elements to a remote node. Hence, contrary to the Examiner's assertions, the cited passages of Rowe do not disclose, teach, or suggest "determining which of the plurality of objects to retransmit to each of the plurality of receivers based upon the received response documents," as recited in claims 48, 61, and 71.

Specifically, the cited passages of Rowe do not disclose, teach, or suggest that, after the network operation center distributes the program elements to the retransmission station, the network operation center determines which of those program elements need to be redistributed from the network operation center to the retransmission station. Nor do the cited passages of

Rowe disclose, teach, or suggest that, after the retransmission station forwards those program elements to the remote node, the retransmission station determines which of those program elements need to be reforwarded from the retransmission station to the remote node.

In the present invention, a determination is made as to "which of the plurality of objects to retransmit" from the central site to each of the receivers because each receiver may not have received all of the objects transmitted from the central site. *See, e.g.*, pg. 8, lns. 14-16 of the specification ("Receivers 14 . . . may not receive objects that have been transmitted from the central site due to, for example, power outages, satellite problems, or bad weather."). Since none of the passages of Rowe cited by the Examiner even mentions the possibility that the retransmission station will not receive the program elements distributed by the network operation center or that the remote node will not receive those program elements forwarded by the retransmission station, there would be no need to determine which program elements need to be retransmitted because all of the program elements are presumed to have been received by the retransmission station and the remote node.

Therefore, the cited passages of Rowe do not disclose, teach, or suggest "determining which of the plurality of objects to retransmit to each of the plurality of receivers based upon the received response documents," as recited in claims 48, 61, and 71.

Since Allen does not cure the deficiencies of Peled or Rowe, even if Allen were combined with Peled and Rowe, the combination would neither teach nor suggest "determining which of the plurality of objects to retransmit to each of the plurality of receivers based upon the received response documents," as recited in claims 48, 61, and 71.

Accordingly, based at least on the reasons above, Applicant respectfully submits that claims 48, 61, and 71, and the claims that depend therefrom, are patentable over Peled, in view of Rowe, and further in view of Allen.

**CONCLUSION**

On the basis of the above remarks, reconsideration and allowance of the claims is believed to be warranted and such action is respectfully requested. If the Examiner has any questions or comments, the Examiner is respectfully requested to contact the undersigned at the number listed below.

Respectfully submitted,  
SAWYER LAW GROUP LLP



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